

REMARKS

This Reply is in response to the Office Action mailed on March 26, 2009 in which claims 54 and 55 were allowed; in which claims 8-9 and 15-27 were objected to; and in which claims 1-7, 11-14, 50, 51 and 53 were rejected. With this response, claim 11, 12 and 45 are canceled; claims 1, 26, 28, 46 and 53 are amended; and claims 56-61 are added. Claims 1-9, 13-27, 50-51 and 53-55 are presented for reconsideration and allowance. Reinstatement and allowance of withdrawn claims 28-36, 38, 40-44 and 46 are requested

I. Rejection of Claims 11 and 53 under 35 USC 112, Second Paragraph

Page 2 of the Office Action rejected claims 11 and 53 under 35 USC 112, second paragraph is allegedly being indefinite. Claim 11 is canceled with its limitations incorporated into base claim 1. Former Claim 11 (now part of claim 1) and amended claim 53 overcome the rejection.

A. Former Claim 11 (now claim 1)

With respect to former claim 11, the Examiner asserted it is not clear how the continuous segment may have a "second width."

Applicants respectfully traverse this rejection. Claim 1, from which former claim 11 depended, recited a media path having a "first width". As a result, to distinguish the width of the first continuous segment recited in former claim 11 from the first width of the media path, the width of the first continuous segment is designated as a "second width". This is not ambiguous or unclear. Rather, it is common claim drafting practice to distinguish commonly named elements in a claim with numerical designations. Accordingly, current claim 1, incorporating the limitation of former claim 11, overcomes the rejection under 35 USC 112, second paragraph.

B. Claim 53

With respect to claim 53, the Examiner asserts that there is no relationship between the structure and the print head.

Claim 53 is amended to recite the structure is proximate a print zone of the printhead. Accordingly, claim 53, as amended, overcomes the rejection under 35 USC 112, second paragraph

II. Rejection of Claim 1 under 35 USC 102(b) based upon Hotomi

Page 3 of the Office Action rejected claim 1 under 35 USC 102(b) as being anticipated by Hotomi US Patent 6305791. Claim 1, as amended, overcomes the rejection.

Claim 1 is amended to incorporate the limitations of former claim 11. Former claim 11 was only rejected under 35 USC 112, second paragraph. Accordingly, Claim 1, as amended, overcomes the rejection based upon Hotomi and is believed to be a condition for allowance.

III. Rejection of claims 1-7 and 12 under 35 USC 102(b) based upon Meyer

Page 4 of the Office Action rejected claims 1-7 and 12 under 35 USC 102(b) as being anticipated by Meyer US Patent 6239817. Claim 12 is canceled. Claim 1 is amended to incorporate the limitations of former claim 11. Former claim 11 was only rejected under 35 USC 112, second paragraph. Accordingly, Claim 1, as amended, overcomes the rejection based upon Meyer and is believed to be a condition for allowance. Claims 2-7 depend from claim 1 and overcome the rejection for at least the same reasons.

IV. Added Claims

With this response, claims 56-61 are added. Claims 56-61 are believed to be patentably distinct over the prior art of record.

A. Claims 56-59

Page 7 indicated that former claim 8 would be allowable if rewritten in independent form. Former claim 8 is rewritten in independent form as added claim 56. Claim 57-59 depend from claim 56 and correspond to former objected to claims 25-27. Accordingly, claims 56-59 are presented for consideration and allowance.

B. Claim 60

Page 7 indicated that former claim 21 would be allowable if rewritten in independent form. Former claim 21 is rewritten in independent form as added claim 60. Accordingly, claim 60 is presented for consideration and allowance.

C. Claim 61

Page 7 indicated that former claim 22 would be allowable if rewritten in independent form. Former claim 22 is rewritten in independent form as added claim 61. Accordingly, claim 61 is presented for consideration and allowance.

V. Request for reinstatement and allowance of withdrawn claims 28-36, 38, 40-44 and 46

Page 7 indicated that former claim 22 would be allowable if rewritten in independent form. Withdrawn independent claim 28 is amended to incorporate the limitations of former withdrawn dependent claim 45 which corresponds to former objected to claim 22.

As acknowledged by the Examiner having to rely upon dependent claim 31 to support his restriction requirement, independent claim 28 is a generic linking claim. Since claim 28 has substantially all the claim limitations of former objected to claim 20, the previous restriction

requirement should be withdrawn and currently withdrawn claims 28-36, 38, 40-44, 46 and 52 should be reinstated and allowed.

VI. Conclusion

Claims 1-9, 11-36, 38, 40-46 and 50-55 remain pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

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